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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,640	09/12/2003	Kotaro Yamaguchi	00862.023229.	7108
5514 7590 12/26/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER TURNER, ASHLEY D	
			ART UNIT 2154	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/660,640	Applicant(s) YAMAGUCHI ET AL.	
	Examiner Ashley D. Turner	Art Unit 2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,6,7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,7,9,10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### **Claim Objections**

The Examiner withdraws the claim objections of claims 2- 8 and 10 so Applicant's arguments are moot.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,6,7,9,10 are rejected under 35 U.S.C. 103 (a) as being unpatentable over in view of Britton (US 6,591,289 B1) further in view of Patil (US 7,020,797 B2) in view of Dovin (US 7,210,094 B2) in view of Komatsu (US 2003/015883 A1).

Referring to claim 1 Britton discloses A server apparatus which receives a request from one of a plurality of communication terminals via a network (Col.3 lines 58-61), comprising: processing means for performing a predetermined process based on the request received from one of the plurality of communication terminals (Col. 3 lines 66-67) and (Col. 4 lines 1-2); checking means for checking whether the predetermined process is complete (Col. 9 lines 7 -15).

Britton did not disclose measuring means for measuring means for measuring a performance time of the predetermined process; judging means for judging whether the performance time measured by the measuring means exceeds a predetermined time period; first sending means for sending Web page information indicating results of the performed predetermined process to the one of the plurality of communications terminals, if a result of the checking means is that the predetermined process is complete; and second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals, if the judging means judges that the performance time by measuring means exceeds the predetermined time period. The general concept of measuring means for measuring means for measuring a performance time of the predetermined process; judging means for judging whether the performance time measured by the measuring means exceeds a predetermined time period is well known in the art as taught by Patil. Patil discloses measuring means for measuring a performance time of the predetermined process (Col 8. lines 53-57); judging means for judging whether the performance time measured by the measuring means exceeds a predetermined time period (Col.8 lines 56-61). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include measuring means for measuring means for measuring a performance time of the predetermined process; judging means for judging whether the performance time measured by the measuring means exceeds a predetermined time period in order to manage and test the software applications.

Britton did not disclose first sending means for sending Web page information indicating results of the performed predetermined process to the one of the plurality of communications terminals, if a result of the checking means is that the predetermined process is complete; and second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals, if the judging means judges that the performance time by measuring means exceeds the predetermined time period. The general concept of first sending means for sending Web page information indicating results of the performed predetermined process to the one of the plurality of communications terminals, if a result of the checking means is that the predetermined process is complete; and second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals, if the judging means judges that the performance time by measuring means exceeds the predetermined time period is well known in the art as taught by Dovin.

Dovin discloses first sending means for sending Web page information indicating results of the performed predetermined process to the one of the plurality of communications terminals ( Col.1 lines 1-11), if a result of the checking means is that the predetermined process is complete; if the judging means judges that the performance time by measuring means exceeds the predetermined time period ( Claim 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify

Britton to include first sending means for sending Web page information indicating results of the performed predetermined process to the one of the plurality of communications terminals, if a result of the checking means is that the predetermined process is complete; and second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals, if the judging means judges that the performance time by measuring means exceeds the predetermined time period in order to provide the user to traverse the visited web pages of a website via the links atop each of the web page.

Britton did not disclose second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals. The general concept of second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals is well known in the art as taught by Komatsu. Komatsu discloses second sending means for sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals (Paragraph [0307]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include second sending means for sending an

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e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals in order for information image enables batched handling of a plurality of operations associated with one image.

Referring to claim 6 Britton, Patil, Dovin, Komatsu discloses all the limitations of claim 6 which are described above. Britton also discloses, "wherein the request received from the one of plurality of communications terminals is a print request of printing image data and the predetermined process is the process of creating print data based on the image data" (Col. 8 lines 15-25).

Referring to claim 7 Britton, Patil, Dovin, Komatsu discloses all the limitations of claim 7 which are described above. Britton also discloses, "wherein the request received from the one of the plurality of communications terminals is a request for a service provided by the server apparatus and the predetermined process is a process of commissioning an external device to settle a cost of the service" (Col. 1 lines 47-53).

Referring to claim 9 Britton discloses a communications method of a server apparatus which receives a request from one of a plurality of communication terminals via a network (Col. 3 lines 58-61), comprising the steps of: performing a predetermined process based on the request received from the one of the plurality of communication

terminals(Col. 3 lines 66-67) and (Col. 4 lines 1-2); checking whether the predetermined process is complete (Col. 9 lines 7 -15).

Britton did not disclose measuring a performance time of the predetermined process; sending Web page information indicating results of the preformed predetermined process to the one of the plurality of communication terminals if the result of the checking step is that the predetermined process is complete; judging whether the performance time measured by the measuring step exceeds a predetermine period of time; and sending an e-mail describing a URL for accessing the Web page information indicating results of predetermined process to the one of the plurality of communication terminals if the judging step judges that the performance time measured by the measuring step exceeds the predetermined period of time. The general concept of measuring a performance time of the predetermined process; judging whether the performance time measured by the measuring step exceeds a predetermine period of time is well known in the art as taught by Patil. Patil discloses measuring a performance time of the predetermined process (Col 8. lines 53-57); judging whether the performance time measured by the measuring step exceeds a predetermine period of time (Col.8 lines 56-61). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include measuring a performance time of the predetermined process; judging whether the performance time measured by the measuring step exceeds a predetermine period of time in order to manage and test the software applications.



Britton did not disclose sending Web page information indicating results of the preformed predetermined process to the one of the plurality of communication terminals if the result of the checking step is that the predetermined process is complete; and sending an e-mail describing a URL for accessing the Web page information indicating results of predetermined process to the one of the plurality of communication terminals if the judging step judges that the performance time measured by the measuring step exceeds the predetermined period of time. The general concept of sending Web page information indicating results of the preformed predetermined process to the one of the plurality of communication terminals if the result of the checking step is that the predetermined process is complete; and sending an e-mail describing a URL for accessing the Web page information indicating results of predetermined process to the one of the plurality of communication terminals if the judging step judges that the performance time measured by the measuring step exceeds the predetermined period of time is well known in the art as taught by Dovin. Dovin discloses sending Web page information indicating results of the preformed predetermined process to the one of the plurality of communication terminals if the result of the checking step is that the predetermined process is complete ( Col.1 lines 1-11); the judging step judges that the performance time measured by the measuring step exceeds the predetermined period of time (Claim1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include sending Web page information indicating results of the preformed predetermined process to the one of the plurality of communication terminals if the result of the checking step is that the predetermined

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process is complete; the judging step judges that the performance time measured by the measuring step exceeds the predetermined period of time in order to provide the user to traverse the visited web pages of a website via the links atop each of the web page.

Britton did not disclose sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals. The general concept of sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals is well known in the art as taught by Komatsu. Komatsu discloses sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals (Paragraph [0307]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include sending an e-mail describing a URL for accessing the Web page information indicating results of the performed predetermined process to the one of the plurality of communication terminals in order for information image enables batched handling of a plurality of operations associated with one image.

Referring to claim 10, Britton, Patil, Dvin, Komatsu discloses all the limitations of claim 10 which are described above. Britton also discloses "a computer-readable storage

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medium containing a program for causing a computer execute the method according to claim 9" (Col.6 lines 30-35).

Claim 3 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Britton (US 6,591,289 B1) further in view of Patil (US 7,020,797 B2) in view of Dovin (US 7,210,094 B2) in view of Sugimoto et al (U.S.6, 697,902 B1) in view of Komatsu (US 2003/015883 A1).

Referring to claim 3 Britton, Patil, Dovin, Komatsu discloses all the limitations of claim 3 which is described above. Dovin also discloses wherein said first sending means sends the Web page information to the one of the plurality of communication terminals( Col.1 lines 1-11), if the measured volume of data not exceed a predetermined value, and said second sending means sends the e-mail describing the URL for accessing the Web page information to the one of the plurality of communication terminals if the measured volume of data exceed the predetermined value( Claim 1). Britton did not discloses data volume measuring means for measuring a volume of data handled by the predetermined process; and volume judging means for judging whether the measured volume of the data exceeds a predetermined value. The general concept of data volume measuring means for measuring a volume of data handled by the predetermined process; and volume judging means for judging whether the measured

volume of the data exceeds a predetermined value is well known in the art as taught by Sugimoto. Sugimoto discloses data volume measuring means for measuring a volume of data handled by the predetermined process; and volume judging means for judging whether the measured volume of the data exceeds a predetermined value (Col. 10 lines 13-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Britton to include data volume measuring means for measuring a volume of data handled by the predetermined process; and volume judging means for judging whether the measured volume of the data exceeds a predetermined value in order to maintain data for a predetermined time and not to eliminate the data immediately after writing of the data.

### ***Conclusion***

Arguments are deemed moot in view of the new grounds of rejection necessitated by the amendment.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashley D. Turner whose telephone number is 571-270-1603. The examiner can normally be reached on Monday thru Friday 7:30a.m.-5:00p.m..

  
NATHAN FLYNN  
SUPERVISORY PATENT EXAMINER

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ashley D Turner  
Examiner  
Art Unit 2154

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